ELED 1 2 OCT 1 8 2007 3 CERK, U.S. DISTRICT COURT NERN DISTRICT OF CALIFORNIA 4 5 UNITED STATES DISTRICT COURT 6 SOUTHERN DISTRICT OF CALIFORN TO CR 2905 L 7 Criminal Case No. 8 UNITED STATES OF AMERICA, INFORMATION 9 Plaintiff, 10 Title 8, U.S.C., Sec. 1326(a) v. and (b) - Deported Alien Found JORGE PINEDA-PORTUNIO, 11 in the United States (Felony) 12 Defendant. 13 14 The United States Attorney charges: 15 On or about September 20, 2007, within the Southern District 16 of California, defendant JORGE PINEDA-PORTUNIO, an alien, who 17 previously had been excluded, deported and removed from the United 18 States to Mexico, was found in the United States, without the 19 Attorney General of the United States or his designated successor, 20 the Secretary of the Department of Homeland Security (Title 6, 21 United States Code, Sections 202(3) and (4), and 557), having 22 expressly consented to the defendant's reapplication for admission 23 to the United States; in violation of Title 8, United States Code, 24 Section 1326(a) and (b). 25 //

26

27

28

DDL:rp:San Diego 10/03/2007

It is further alleged that defendant JORGE PINEDA-PORTUNIO was removed from the United States subsequent to January 5, 2006. DATED: KAREN P. HEWITT United States Attorney DAVID D. LESHNER Assistant U.S. Attorney